

**ALASKA STATE LEGISLATURE**  
**SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE**

April 20, 2021

1:32 p.m.

**MEMBERS PRESENT**

Senator David Wilson, Chair  
Senator Shelley Hughes, Vice Chair  
Senator Mia Costello  
Senator Lora Reinbold  
Senator Tom Begich

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SENATE BILL NO. 67

"An Act relating to the licensure of nursing professionals; relating to a multistate nurse licensure compact; and providing for an effective date."

- FAILED TO MOVE OUT OF COMMITTEE

SENATE BILL NO. 78

"An Act relating to telehealth."

- MOVED CSSB 78(HSS) OUT OF COMMITTEE

SENATE BILL NO. 80

"An Act relating to mental health education."

- MOVED CSSB 80(HSS) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 67

SHORT TITLE: NURSING: LICENSURE; MULTISTATE COMPACT

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

02/03/21	(S)	READ THE FIRST TIME - REFERRALS
02/03/21	(S)	HSS, L&C
02/23/21	(S)	HSS AT 1:30 PM BUTROVICH 205

02/23/21	(S)	Heard & Held
02/23/21	(S)	MINUTE(HSS)
02/25/21	(S)	HSS AT 1:30 PM BUTROVICH 205
02/25/21	(S)	-- Public Testimony --
04/15/21	(S)	HSS AT 1:30 PM BUTROVICH 205
04/15/21	(S)	Heard & Held
04/15/21	(S)	MINUTE(HSS)
04/20/21	(S)	HSS AT 1:30 PM BUTROVICH 205

BILL: SB 78

SHORT TITLE: HEALTH CARE SERVICES BY TELEHEALTH  
SPONSOR(s): LABOR & COMMERCE

02/10/21	(S)	READ THE FIRST TIME - REFERRALS
02/10/21	(S)	HSS, L&C
03/02/21	(S)	HSS AT 1:30 PM BUTROVICH 205
03/02/21	(S)	Heard & Held
03/02/21	(S)	MINUTE(HSS)
04/09/21	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
04/09/21	(S)	-- MEETING CANCELED --
04/15/21	(S)	HSS AT 1:30 PM BUTROVICH 205
04/15/21	(S)	Scheduled but Not Heard
04/20/21	(S)	HSS AT 1:30 PM BUTROVICH 205

BILL: SB 80

SHORT TITLE: PUBLIC SCHOOLS: MENTAL HEALTH EDUCATION  
SPONSOR(s): GRAY-JACKSON

02/12/21	(S)	READ THE FIRST TIME - REFERRALS
02/12/21	(S)	EDC, HSS, FIN
03/10/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/10/21	(S)	Heard & Held
03/10/21	(S)	MINUTE(EDC)
03/19/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/19/21	(S)	-- Invited & Public Testimony --
03/22/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/22/21	(S)	Moved CSSB 80(EDC) Out of Committee
03/22/21	(S)	MINUTE(EDC)
03/24/21	(S)	EDC RPT CS 1DP 2NR SAME TITLE
03/24/21	(S)	NR: HOLLAND, HUGHES
03/24/21	(S)	DP: BEGICH
04/06/21	(S)	HSS AT 1:30 PM BUTROVICH 205
04/06/21	(S)	Heard & Held
04/06/21	(S)	MINUTE(HSS)
04/15/21	(S)	HSS AT 1:30 PM BUTROVICH 205
04/15/21	(S)	Scheduled but Not Heard
04/20/21	(S)	HSS AT 1:30 PM BUTROVICH 205

## **WITNESS REGISTER**

SARA CHAMBERS, Director  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community and Economic Development  
Juneau, Alaska  
**POSITION STATEMENT:** Testified and answered questions on SB 67.

REBECCA Fotsch, Director  
State Advocacy and Legislative Affairs  
National Council of State Boards of Nursing  
Chicago, Illinois  
**POSITION STATEMENT:** Answered questions on SB 67.

DANETTE SCHLOEDER, Chair  
Alaska Board of Nursing  
Anchorage, Alaska  
**POSITION STATEMENT:** Answered questions related to SB 67.

KATIE MCCALL, Staff  
Senator Mia Costello  
Alaska State Legislature  
Juneau, Alaska  
**POSITION STATEMENT:** Presented and overview of SB 78.

SENATOR ELVI GRAY-JACKSON  
Alaska State Legislature  
Juneau, Alaska  
**POSITION STATEMENT:** Sponsor of SB 80.

## **ACTION NARRATIVE**

[1:32:36 PM](#)

**CHAIR DAVID WILSON** called the Senate Health and Social Services Standing Committee meeting to order at 1:32 p.m. Present at the call to order were Senators Costello, Reinbold, Begich, Hughes, and Chair Wilson.

### **SB 67-NURSING: LICENSURE; MULTISTATE COMPACT**

[1:33:18 PM](#)

CHAIR WILSON announced the consideration of SENATE BILL NO. 67 "An Act relating to the licensure of nursing professionals; relating to a multistate nurse licensure compact; and providing for an effective date."

He noted the committee heard an overview of the bill and a sectional analysis and took public testimony at previous hearings.

CHAIR WILSON recalled the committee began the amendment process on April 15. There was a motion pending to adopt Amendment 4 and an objection for the purpose of discussion. He asked Senator Begich to refresh the committee's memories about the amendment.

1:34:30 PM

SENATOR BEGICH stated Amendment 4, under AS 08.68.330, adds the requirement that multistate licensed nurses successfully complete two hours of board approved Alaska Native cultures training. He noted that Alaska is unique, as twenty-one percent of its population is comprised of indigenous peoples.

CHAIR WILSON remarked that the purpose of the meeting is to discuss whether the amendments will negatively impact the nursing compact.

1:35:40 PM

SARA CHAMBERS, Director, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development, Juneau, Alaska, stated a foundational concept of the Nurse Licensure Compact (NLC) is that states cannot impose additional preemployment restrictions on nurses. Amendment 4 would be a restriction and kill the bill. Previously, members inquired whether the training could be required after a nurse is hired. She suggested Ms. Fotsch speak to that consideration.

1:37:28 PM

REBECCA Fotsch, Director, State Advocacy and Legislative Affairs, National Council of State Boards of Nursing, Chicago, Illinois, commented that she could check with the attorney for the Nurse Licensure Compact (NLC) to determine whether the amendment would be considered a material deviation from the agreement. The requirement is a problem because it would decrease efficiency and fluid mobility. Nurses would need to keep track of what each state requires.

SENATOR REINBOLD commented that Amendment 4 is respectful to Alaska Natives and people living in remote areas, but she does not like to yield authority to a compact she has not seen. She asserted training could be accomplished during the nurse's

flight to Alaska. She does not like the compact's lack of flexibility. She will vote for the amendment.

1:39:52 PM

SENATOR BEGICH stated that a state cedes its ability to regulate nurses when it joins the compact. His goal is to protect the state's interest. The state will not be able to make changes unless every state in the compact accepts it. He is concerned that the state would be surrendering sovereignty and expressed a desire to have an attorney determine if Amendment 4 could be accepted by the compact.

CHAIR WILSON noted nurses licensed in Alaska currently are not required to take a course in Alaska Native cultures. He asked Danette Schloeder to comment.

1:41:59 PM

DANETTE SCHLOEDER, Chair, Alaska Board of Nursing, Anchorage, Alaska, replied correct; Amendment 4 would only apply to nurses working under a multistate license and not nurses who chose to have a single state license. She said the value of cultural education would benefit all healthcare providers, not just multistate licensed nurses.

SENATOR HUGHES expressed disappointment that the department had not learned whether Amendment 4 would be a problem for the compact. Many nurses in her district want a multistate license. She agreed with Ms. Schloeder that cultural training for all healthcare providers would be ideal, but it is not in the committee's purview. She remarked that problems with SB 67 can be addressed in the next committee of referral.

1:44:04 PM

CHAIR WILSON removed his objection; finding no further objection, Amendment 4 passed.

He asked Ms. Chambers if she had any final comments.

MS. CHAMBERS replied that there are misunderstandings about SB 67. She clarified that the entire compact is included in the bill. The bill document, SB 67, is the compact.

She continued that it is not true that entering the compact causes the state to lose its ability to govern the practice of nursing. The Alaska Board of Nursing governs the practice and discipline of nursing in Alaska. The board can adopt regulations to respond to needs in the practice of nursing.

Most of Alaska's nurses are from out of state. There are twenty thousand nurses in the state of Alaska. They are not all residents. Currently, the department does not require what the members are concerned about. The multistate license provides a faster way for nurses, who qualify at higher standards, to practice in Alaska. That is all it does; the rest of the jurisdiction stays with the Alaska Board of Nursing.

She would like to alleviate concerns, misunderstands or questions the committee has. SB 67 gets highly qualified nurses to Alaska practicing under the jurisdiction of the Alaska Board of Nursing.

[1:46:58 PM](#)

SENATOR BEGICH challenged the claim that most of Alaska's nurses are from outside the state and requested evidence. The committee was informed that the state cannot amend the compact without approval from all compact states. He contended that the compact would disallow any regulatory changes that materially impact the agreement and the legislature would not be able to amend statutes without approval. He asked Ms. Chambers to explain if he is wrong.

SENATOR REINBOLD agreed that testimony was conflicting. She will vote no on SB 67 because it undermines legislative authority and decreases state sovereignty. The Alaska Alliance on Retired Americans, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and the Alaska Nurses Association provided solid reasons for voting no on SB 67.

CHAIR WILSON solicited a motion to move the bill from committee.

[1:49:41 PM](#)

SENATOR HUGHES moved to report SB 67, work order 32-GS1603\A as amended, from committee with individual recommendations and attached fiscal note(s).

[1:49:50 PM](#)

SENATOR REINBOLD objected.

[1:50:16 PM](#)

A roll call vote was taken. Senators Hughes and Wilson voted in favor of the motion to move SB 67 as amended from committee and Senators Costello, Reinbold, and Begich voted against it. Therefore, the motion failed 2:3.

CHAIR WILSON announced that with a vote of 2 yeas and 3 nays, SB 67 failed to move from the Senate Health and Social Services Committee.

**SB 78-HEALTH CARE SERVICES BY TELEHEALTH**

[1:50:28 PM](#)

CHAIR WILSON announced the consideration of SENATE BILL NO. 78 "An Act relating to telehealth."

SENATOR COSTELLO stated that Governor Dunleavy introduced legislation extending the disaster declaration retroactively and into the future. She opined that Alaskans are ready to move into a recovery phase so it would be better to make laws that are COVID aware. The Labor and Commerce Committee introduced a suite of bills to determine whether practices, which began following the disaster declaration, would be allowed to continue. SB 78 is one of those bills.

[1:52:38 PM](#)

KATIE MCCALL, Staff, Senator Mia Costello, Alaska State Legislature, Juneau, Alaska, stated SB 78 was taken from Section 6 of the Governor's disaster declaration bill. It allows licensed healthcare providers and nurses to provide services through telehealth in their licensed field.

[1:53:56 PM](#)

CHAIR WILSON moved Amendment 1.

**AMENDMENT 1**

32-LS0532\A.1

Fisher

4/14/21

OFFERED IN THE SENATE

BY SENATOR WILSON

TO: SB 78

Page 1, following line 2:

Insert new bill sections to read:

**"\* Section 1.** AS 08.15 is amended by adding a new section to read:

**Sec. 08.15.045. Telehealth.** (a) A person licensed under this chapter may practice behavior analysis through telehealth as defined in AS 47.05.270(e). A person licensed to practice behavior analysis in

another jurisdiction may practice behavior analysis through telehealth with a patient in this state if the person's license is in good standing in that jurisdiction.

(b) If a person licensed to practice behavior analysis determines in the course of a telehealth encounter with a patient that the encounter will extend beyond the licensee's authorized scope of practice, the licensee shall advise the patient that the licensee is not authorized to provide the services to the patient, recommend that the patient contact an appropriate provider, and terminate the encounter. The licensee may not charge for services provided during an encounter described in this subsection.

(c) A fee for a service provided through telehealth under this section must be reasonable and consistent with the ordinary fee typically charged for that service and may not be more than five percent above the ordinary fee typically charged for that service.

\* **Sec. 2.** AS 08.29 is amended by adding a new section to article 3 to read:

**Sec. 08.29.240. Telehealth.** (a) A person licensed under this chapter may practice professional counseling through telehealth as defined in AS 47.05.270(e). A person licensed to practice professional counseling in another jurisdiction may practice professional counseling through telehealth with a client in this state if the person's license is in good standing in that jurisdiction.

(b) If a person licensed to practice professional counseling determines in the course of a telehealth encounter with a client that the encounter will extend beyond the scope of practice or scope of services permitted under (a) of this section, the licensee shall advise the client that the licensee is not authorized to provide the services to the client, recommend that the client contact an appropriate provider, and terminate the encounter. The licensee may not charge for services provided during an encounter described in this subsection.

(c) A fee for a service provided through telehealth under this section must be reasonable and consistent with the ordinary fee typically charged for that service and may not be more than five percent above the ordinary fee typically charged for that service.



\* **Sec. 3.** AS 08.63 is amended by adding a new section to read:

**Sec. 08.63.250. Telehealth.** (a) A person licensed under this chapter may practice marital and family therapy through telehealth as defined in AS 47.05.270(e). A person licensed to practice marital and family therapy in another jurisdiction may practice marital and family therapy through telehealth with a client in this state if the person's license is in good standing in that jurisdiction.

(b) If a person licensed to practice marital and family therapy determines in the course of a telehealth encounter with a client that the encounter will extend beyond the scope of practice or scope of services permitted under (a) of this section, the licensee shall advise the client that the licensee is not authorized to provide the services to the client, recommend that the client contact an appropriate provider, and terminate the encounter. The licensee may not charge for services provided during an encounter described in this subsection.

(c) A fee for a service provided through telehealth under this section must be reasonable and consistent with the ordinary fee typically charged for that service and may not be more than five percent above the ordinary fee typically charged for that service."

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 4**"

Renumber the following bill sections accordingly.

Page 3, following line 31:

Insert a new bill section to read:

"\* **Sec. 8.** AS 08.86 is amended by adding a new section to article 6 to read:

**Sec. 08.86.225. Telehealth.** (a) A psychologist or psychological associate licensed under this chapter may practice psychology or provide psychological services, as applicable, through telehealth as defined in AS 47.05.270(e). A person licensed to practice psychology or provide psychological services in another jurisdiction may practice psychology or provide psychological services through telehealth with

a client in this state if the person's license is in good standing in that jurisdiction.

(b) If a person licensed to practice psychology or provide psychological services determines in the course of a telehealth encounter with a client that the encounter will extend beyond the scope of practice or scope of services permitted under (a) of this section, the licensee shall advise the client that the licensee is not authorized to provide the services to the client, recommend that the client contact an appropriate provider, and terminate the encounter. The licensee may not charge for services provided during an encounter described in this subsection.

(c) A fee for a service provided through telehealth under this section must be reasonable and consistent with the ordinary fee typically charged for that service and may not be more than five percent above the ordinary fee typically charged for that service."

SENATOR HUGHES objected for purposes of discussion.

[1:54:09 PM](#)

CHAIR WILSON explained that SB 78 attempts to fix a parity in Alaska's healthcare services by allowing behavioral healthcare providers to participate in telehealth services. There is a need to change the behavioral healthcare section of the Governor's disaster declaration bill to codified law. He stated there is a follow up amendment regarding behavioral healthcare providers that removes the pay parity section.

[1:55:11 PM](#)

At ease

[1:56:21 PM](#)

CHAIR WILSON reconvened the meeting.

SENATOR REINBOLD stated she supports telehealth. She continues to be a strong proponent of the established patient in-person meeting requirement. She commented that if any members have conflicts of interest, they need to be forthright and put it on the record.

[1:57:21 PM](#)

SENATOR HUGHES withdrew her objection.

[1:57:28 PM](#)

CHAIR WILSON found no further objection and Amendment 1 passed.

[1:57:38 PM](#)

SENATOR HUGHES moved Amendment 2.

**AMENDMENT 2**

32-LS0532\A.2

Fisher

4/12/21

OFFERED IN THE SENATE

BY SENATOR HUGHES

TO: SB 78

Page 2, lines 22 - 24:

Delete "consistent with the ordinary fees typically charged for that service and may not be more than five percent above the ordinary fees typically charged for that service"

Insert "may not exceed the ordinary fees typically charged for that service"

Page 3, lines 25 - 27:

Delete "consistent with the ordinary fees typically charged for that service and may not be more than five percent above the ordinary fees typically charged for that service"

Insert "may not exceed the ordinary fees typically charged for that service"

CHAIR WILSON objected for purposes of discussion.

[1:57:52 PM](#)

SENATOR HUGHES read Amendment 2 and stated there is no reason for a telehealth provider's fee to be more than an in-office visit. Telehealth is a savings to the provider, requires less staff and appointments are typically shorter. The purpose of the amendment is to remove the additional five percent fee allowance because there is no justification for it.

SENATOR COSTELLO stated she supports Amendment 2. She asked if Amendment 2 was written with contemplation of Amendment 1 passing so that language regarding the five percent fee was consistent.

CHAIR WILSON replied that for the record Amendment 2 would cover both the bill and Amendment 1. Drafters at Legislative Legal Services will make the conforming changes.

2:00:00 PM

CHAIR WILSON withdrew his objection and asked if there was further objection; finding none, Amendment 2 passed.

SENATOR REINBOLD stated she understands the need for the bill but struggled with page 3 line 16-18 and line 12, which removes the established provider requirement to meet in-person at least once. She is unsure how she will vote on the floor but will not hold up the bill.

SENATOR HUGHES asked if the Alaska Medical Association commented on the removal of the established patient requirement of at least one in-person visit. An in-person exam is foundational to most medical care. She asked if there are restrictions in place prohibiting telehealth providers from diagnosing and treating conditions that should be done in-person.

2:02:20 PM

SENATOR COSTELLO responded that in context of last year's disaster declaration, the state was allowed to waive every regulation and law, which is why the environment of a disaster should be seriously considered. She stated she spoke with the Alaska Medical Association. SB 78 was drafted to address changes brought about by the disaster declaration.

Changes to Alaska hire was one of those concerns. She opined that she did not necessarily want people to get care from doctors who are not licensed in Alaska. In her initial discussion with the state administration, she was told some Alaskans were established patients of out of state doctors. Due to the COVID environment, they could not fly outside of the state to receive care. Instead, they received care through telemedicine. In-person visits are also valued. She does want Alaskans to see Alaska licensed doctors. SB 78 will go to the Labor and Commerce Committee next. It is her intent to place a sunset date on the bill. She stated she will work with Senator Begich's office on language related to Alaska hire.

She commented that the telehealth measures that were passed were of value during the COVID time period because they allowed the elderly and fragile to continue receiving care. Many Alaskans like receiving mental health treatments online. Telehealth is something to appreciate. SB 78 tries to bridge the gap of what

was done under the pandemic environment and how we move forward without a disaster declaration. She stated she will consider the points made and intents to make improvements to the bill before it goes to the floor.

2:05:42 PM

SENATOR REINBOLD shared that she is not in favor of the bill because the Alaska State Medical Association is not. She opined that the disaster declaration by the Governor should not have lasted more than 30 days and might have been an abuse of power. Waiving statutes and regulations should be done through the administrative regulation review committee with legislature approval.

SENATOR BEGICH asked for the word jurisdiction to be defined in Section 2 line 11 and Section 4 line 13 - 14. He will vote to move SB 78.

2:08:21 PM

SENATOR HUGHES stated she will support SB 78. She stated there is a wide range of services providers can offer; not all of them are appropriate without an in-person physical examination. She respects the Alaska Medical Association and opined that this is a concern for them. She asked that a provider's scope of practice be limited to only services that do not require a physical exam.

CHAIR WILSON noted that Labor and Commerce is the next committee of referral, and the intent is to move the bill so that committees can continue refining it.

2:10:29 PM

CHAIR WILSON solicited a motion to move the bill from committee.

2:10:41 PM

SENATOR HUGHES moved SB 78, work order 32-LS0532\A as amended, from committee with individual recommendations and attached fiscal notes (s).

2:10:48 PM

SENATOR REINBOLD objected.

2:10:52 PM

CHAIR WILSON called for a roll call vote.

A roll call vote was taken. Senators Begich, Hughes, Costello, and Wilson voted in favor of reporting SB 78 as amended from

committee and Senator Reinbold voted against it. Therefore, the motion passed by a 4:1 vote.

CHAIR WILSON announced that with 4 yeas and 1 nay, CSSB 78(HSS) moved from the Senate Health and Social Services Standing Committee.

[2:11:33 PM](#)

At ease

**SB 80-PUBLIC SCHOOLS: MENTAL HEALTH EDUCATION**

[2:14:28 PM](#)

CHAIR WILSON reconvened the meeting and announced the consideration SENATE BILL NO. 80

"An Act relating to mental health education."

An overview of the bill, sectional analysis and public testimony were heard on April 6.

SENATOR ELVI GRAY-JACKSON, Alaska State Legislature, Juneau, Alaska, read her sponsor statement:

SB 80 amends the existing health education curriculum statute to include mental health curriculum in all K-12 health classrooms to adequately educate students on vital information pertaining to mental health symptoms, resources, and treatment. Currently, the health curriculum guidelines include prevention and treatment of diseases; learning about "good" health practices including diet, exercise, and personal hygiene; and "bad" health habits such as substance abuse, alcoholism, and patterns of physical abuse. But the guidelines do not address mental health. Following passage of SB80, the Alaska State Board of Education and Early Development and the Alaska Department of Education and Early Development (DEED) will develop guidelines for instruction in mental health in consultation with the Alaska Department of Health and Social Services (DHSS) and representatives of national, state, and tribal mental health organizations. Such organizations include, but are not limited to, the National Council for Behavioral Health, Providence Health and Services Alaska, Southcentral Foundation, Anchorage Community Mental Health Services, Inc., North Star Behavioral Health

System, and the National Alliance on Mental Health Illness Alaska. The standards will be developed in consultation with counselors, educators, students, administrators, and other mental health organizations to form effective guidelines for school boards, teachers, and students. After standards have been developed, the Alaska State Board of Education and Early Development and DEED will be responsible for implementation throughout the Alaska school system. As with existing health education curriculum, the DEED, the DHSS, and the Council on Domestic Violence and Sexual Assault will provide technical assistance to school districts in the development of personal safety curricula. An existing school health education specialist position will assist in coordinating the program statewide. The State has a responsibility to treat the current mental health crisis in Alaska as a serious public health issue. By creating mental health education standards and encouraging schools to teach a mental health curriculum, SB80 aims to decrease the stigma surrounding mental illnesses and increase students' knowledge of mental health, encouraging conversation around and understanding of the issue.

2:17:31 PM

SENATOR GRAY-JACKSON recalled there was an amendment by Senator Begich that changed the bill.

SENATOR BEGICH replied that language was made more general so more entities could participate in creating the curriculum. It was confirmed in the [education] committee that the Department of Education and Early Development (DEED) would oversee writing the curriculum.

SENATOR HUGHES mentioned that she was concerned about age appropriateness of curriculum content and young children being unduly influenced.

SENATOR GRAY-JACKSON responded the amendment was made in the education committee and that during the meeting several questions were asked. She stated her office provided follow-up answers to all questions asked by the education committee.

SENATOR REINBOLD informed members that she did research and found there are organizations, such as the Alaska Parental Rights organization, that oppose the bill. She determined that the bill crosses the domain of family boundaries. She believes

parents should focus on a child's mental capacity, health and sexuality and let schools focus on education. Content in education is being increasingly infiltrated by social, sexual and political agendas that can harm children and undermine parental rights.

[2:22:33 PM](#)

CHAIR WILSON moved Amendment 1.

**AMENDMENT 1**

32-LS0514\B.4  
Klein  
4/12/21

OFFERED IN THE SENATE  
TO: CSSB 80 (EDC)

BY SENATOR WILSON

Page 2, following line 17:

Insert a new bill section to read:

"\* **Sec. 4.** AS 14.30.360 is amended by adding a new subsection to read:

(e) A district may not instruct a student in mental health as part of a program in health education under (a) of this section without informed consent from the student's parent or guardian. The district shall inform the child's parent or guardian, in the native language of the parent or guardian, of the time, date, and content of the mental health instruction, that consent is voluntary, and that consent may be revoked at any time. Before instructing a student in mental health, the district shall obtain written consent from the parent or guardian indicating that the parent or guardian understands and agrees to the student's participation in the mental health instruction."

Renumber the following bill section accordingly.

[2:22:42 PM](#)

SENATOR HUGHES objected for purposes of discussion.

CHAIR WILSON stated Amendment 1 would start on page 2 line 17. He read Amendment 1. He stated he supports mental health education in the schools, but constituents desired to have parents be informed of curriculum content and provide permission to attend.



SENATOR REINBOLD asked if the program would be opt-in elective only, with parental permission.

CHAIR WILSON replied yes; that is the intent of the amendment.

SENATOR HUGHES stated she heard the same request from parents and had a similar bill in place. She thanked Chair Wilson for bringing his amendment forward.

SENATOR COSTELLO commented that she also had been contacted by parents and had been working on an amendment before realizing Chair Wilson had an amendment in place.

SENATOR BEGICH commented that Amendment 1 seems like an option on top of an option. The bill creates the option for each school district to provide mental health as part of its healthcare education. Other elements of health education do not require parental consent. He understands but does not support the opt-in requirement. He does not see how the bill is a threat to parents or students. He opposes the idea because students most in need can be kept from the curriculum. However, he will support the amendment.

2:27:03 PM

SENATOR HUGHES removed her objection.

CHAIR WILSON asked if there was further objection; finding none, Amendment 1 was passed.

SENATOR HUGHES stated she appreciates the heart of the sponsor and students but has concerns about the bill. The bill, not passing, does not prevent local school boards from developing a mental health curriculum. She wants mental health destigmatized, and students informed on mental health resources. The scope of the bill is too wide. Pinning mental health in adolescent education narrowly to depression and suicide would be better. The bill has a de-preparing curriculum that is not required to be used by districts. Curriculum prepared at the state level loses local control. She believes mental health education should be at the district level.

2:29:20 PM

CHAIR WILSON solicited a motion to move the bill from committee.

SENATOR HUGHES moved to report the proposed committee substitute (CS) for SB 80, work order 32-LS0514\B as amended, from

committee with individual recommendations and attached fiscal notes (s).

SENATOR HUGHES objected.

CHAIR WILSON asked for a roll call vote.

2:29:43 PM

A roll call vote was taken. Senators Costello, Begich, and Wilson voted in favor of reporting SB 80 as amended from committee and Senators Hughes and Reinbold voted against it. Therefore, the motion passed by a 3:2 vote.

CHAIR WILSON stated that with 3 yeas and 2 nays, CSSB 80 (HSS) moved from the Senate Health and Social Services Standing Committee.

2:30:50 PM

There being no further business to come before the committee, Chair Wilson adjourned the Senate Health and Social Services Standing Committee meeting at 2:30 p.m.